D.B. CIVIL SPECIAL APPEAL NO.161/2006
(State Vs. Mohan Singh & Ors.)

Date of order : 26.7.2006

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. L.R. Upadhyay, Dy. Govt. Advocate.

Having heard learned counsel for the appellant, we are of the opinion that the appeal has no merit.

An industrial dispute was raised by the workmen against the appellant, who were serving as Beldar on work-charge establishment and as per Rules of 1964, an employee who has been working for two years on work-charge is entitled to be given semi-permanent status after completion of two years. The Labour Court relying upon the Bench decision of this Court allowed the claim of the workmen and directed the appellant to give the benefits of semi-permanent status to the respondents after completion of two years of service.

The award of the labour court was challenged by way of filing S.B. Civil Writ Petition No.6010/2005. The learned Single Judge vide judgment dated 7.11.2005 dismissed the writ petition while finding that the award of the labour court is based

upon a judgment of this Court in D.B. Special Appeal No.196/1992. Apparently no fault can be found with the judgment of the learned Single Judge.

The appeal fails and is hereby dismissed.

(GOPAL KRISHAN VYAS), J. (RAJESH BALIA), J.

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